

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 DAVID RODRIGUEZ,)
10 Plaintiff,) Case No. 3:09-cv-00123-LRH-RAM
11 vs.)
12 HOWARD SKOLNICK, *et al.*,) ORDER
13 Defendants.)

14 Before the Court is Plaintiff's Motion to Dismiss Without Prejudice (#14). A plaintiff may
15 voluntarily dismiss an action by filing a notice of dismissal before the opposing party serves either an
16 answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). Unless otherwise noted, the
17 dismissal is without prejudice. Fed. R. Civ. P. 41(a)(1)(B). Defendants have not been served, entered
18 an appearance, or served an answer or motion for summary judgment in this matter.

19 || Accordingly, and with good cause appearing,

IT IS THEREFORE ORDERED that Plaintiff's Motion to Dismiss Without Prejudice (#14) is GRANTED. This action is DISMISSED without prejudice.

22 **IT IS FURTHER ORDERED** that the Clerk of the Court shall administratively **CLOSE** this
23 case.

24 DATED this 28th day of September, 2009.

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**LARRY R. HICKS
UNITED STATES DISTRICT JUDGE**